C.8.11001

(1) SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH
AT BILASPUR

3

WRIT PETITION NO. 1539 /2005

PETITIONER:- M/s. Champion Ceramics
Private limited
Through:- Sajjan Agrawal
Aged about 48years
S/O- Rud Mal Agrawal
Industrial area Korba Road Champa
Distt- Jangir Champa (C.G.)
R/O- Near Railway Station Champa
Distt- Jangir Champa (C.G.)

P.R. No. 17/5/05
Presented by Sh. P.C. Jain
dated 19.04.05

VERSUS

RESPONDENTS:- 1) Coal India Limited, through:-
Its Chairman, 10, Netaji Subhash
Raod Kolkata, (West Bengal)

2) Chairman cum managing Director,
South Eastern Coal Field Limited. 10
Seepat Road, Bilaspur,
Tahsiland District- Bilaspur (C.G.)

RECEIVED-COPY
19.4.
CLERK to A. G. BILASPUR

3) The General Manager (Sales),
10 Seepat Road, Bilaspur,
Tahsil and District - Bilaspur (C.G.)

4) State of Chhattisgarh
Through :- Secretary
Ministry of Industrial Development
D.K.S. Bhawan
Raipur (C.G.)

Dhole
clerk to Shri
P.S. Koshy
19.4.05

R/C
Shri Kpur
19/4/05

5) Union of India
Through :- Secretary
Ministry of Industrial Development
New Delhi

THAKUR VIJAY SINGH
Asst. Solicitor General of India
CHHATTISGARH HIGH COURT
High Court Campus, Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.1539/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश 104

25/4/2005

On a mention being made, the case is taken up.

Shri Y.C. Sharma for the petitioner.

Shri Vinod Deshmukh for respondents no.1 to 3 on caveat.

Shri Parag Kotecha, P.L., for respondent no.4.

Thakur Vijay Singh, Asstt. Solicitor General for Union of India/respondent no.5.

Application for urgent hearing is allowed.

Heard on I.A. No.2982/05 for exemption from filing typed copies of the documents.

The application is allowed. Exemption is granted from filing typed copies of the documents.

Heard.

Shri Deshmukh takes notice on behalf of respondents no.1 to 3, Shri Kotecha takes notice on behalf of respondent no.4 and Thakur Vijay Singh takes notice on behalf of respondent no.5.

Learned counsel for the petitioner contended that the matter is covered by a decision dated 1/4/2005 of this Court passed in W.P. No.1082/05 (Rishi Minerals vs. Coal India Ltd. and others). He produced the copy of the said judgment. It be placed on record.

The aforesaid fact is not disputed by the learned counsel appearing for the other side.

(पीछे देखिये)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

WP 1539/05

मामला क्रमांक ..... **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

It is submitted that the petitioner has filed the documents before the authority as required on 16/12/2004 as per checklist. The petitioner has also submitted the documents, which are relevant for its units, and reasons thereof have been mentioned with documentary evidence. It is submitted that the petitioner may be allowed to continue supply of coal as per linkage conditions till verification, as has been done by this Court in the aforesaid case.

This Court in the judgment dated 1/4/2005 passed in W.P. No.1082/05 has held as under:

> *"Shri Sharma, learned counsel for the petitioners, submits that the petitioners have filed the documents before the authority as required on 16/12/2004 as per checklist. They have also submitted the documents, which are relevant for their units, and reasons thereof have been mentioned with documentary evidence. In that view of the matter, the prayer is that those petitioners who have filed the documents before the authority as required on 16/12/2004 and have also filed the documents before this Court, they may be allowed to continue supply of coal as per linkage conditions till verification. Shri Koshy, learned counsel for the respondents, submits that pending decision, the petitioners who have filed the documents before the authority and this Court may be allowed to continue supply of coal as per linkage conditions."*

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 1539/05 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -3-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश 106
	Having thus considered, it is directed that pending decision the petitioner shall be allowed to continue supply of coal as per linkage conditions. Subject to what has been stated above, this petition stands disposed of. Consequently, M.W.P. No.1196/05 shall also stand disposed of. Parties are entitled to copy of this order. **Sd/-** **Fakhruddin** **Judge**	